CLCON No. 276 of 2001

Hon'ble Irshad Hussain, J.

None appear for the petitioners.

Heard Sri N.C. Gupta learned Standing Counsel and perused the counter affidavit. By an order dates 26.2.1999 the effect and operation of the impugned order of the revisional court dated 12.11.98 was stayed. The petitioners allege that despite the said stay the S.D.M. has initiated proceedings under section 145 of the Code of Criminal Procedure. The stay was granted against the order of the revisional court but in case of apprehension of breach in regard to dispute pertaining to property the learned S.D.M. could have proceeded under section 145 of the Code of Criminal Procedure and therefore there was no contempt of the order of the Court. Considering this the petition is dismissed. Notice discharged.

(Irshad Hussain, J.)

Dated: 26-9-03
ISB